

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (currently amended) A method of operating a device configurable for use in a mobile communications network, the device operating using a protocol having a physical layer, a user layer and at least an RRC (radio resource control) layer and an RLC (radio link control) layer of a UMTS system, wherein the RRC layer is arranged to submit an SDU to the RLC layer for communication using the physical layer, wherein said SDU comprises information indicative of a process, the method comprising:

in response to a signal from said RLC layer, said signal being indicative of discard of said SDU, causing said RRC layer to resubmit said SDU to said RLC layer a predetermined number N of times; and

~~and~~ in response to N further signals indicative of said discard, causing said RRC layer to submit to said RLC layer a failure response message indicative that said process indicated by the information of the SDU has failed.

2. (original) A method according to claim 1, further comprising setting an operating mode wherein an acknowledgement of successful reception of said SDU is awaited.

3. (original) A method according to claim 1, wherein  $N=0$ .

4. (original) A method according to claim 1, wherein if said RLC layer discards said failure response message, said method further comprises causing said RRC layer to resubmit said SDU to said RLC layer a predetermined number N of times; and

in response to N further signals indicative of said discard, submitting by said RRC layer to said RLC layer of a CELL UPDATE indicative of an unrecoverable error in said RLC layer for emission in response thereto.

5. (currently amended) A method according to claim 1, wherein if said RLC layer discards said failure response message, said method further comprises submitting by said RRC layer to said RLC layer of a CELL UPDATE message arranged to cause ~~the~~a network control device to emit for said ~~user~~-device a CELL UPDATE CONFIRM message arranged to cause said ~~user~~-device to reconfigure to a determined state.

6. (currently amended) A method according to claim 1, wherein if said RLC layer discards said failure response message, said method further comprises releasing connection between peer layers at ~~the~~-said device and ~~the~~-said network and entering an idle mode.

7. (cancelled)

8. (currently amended) A method of operating a device configurable for use in a mobile communications network, the device operating using a protocol having a physical layer, a user layer and at least an RRC (radio resource control) layer and an RLC (radio link control) layer of a UMTS system, wherein the RRC layer is arranged to submit an SDU to the RLC layer for communication using the physical layer, wherein said SDU comprises information indicative of a process, the method comprising:

in response to a submission of an SDU by said RRC layer to said RLC layer, starting a timing process in the RRC layer;

in response to an indication that the timing process has reached a predetermined timeout, causing said RRC layer to resubmit said SDU to said RLC layer a predetermined number N of times, on each occasion starting said timing process; and

~~and~~-in response to N further timeout signals, causing said RRC layer to submit to said RLC layer a failure response message indicative that said process indicated by the information of the SDU has failed.

9. (original) A method according to claim 8, further comprising setting an operating mode wherein an acknowledgement of successful reception of said SDU is awaited.

10. (original) A method according to claim 8, wherein  $N=0$ .

11. (currently amended) A method according to claim 8, wherein in response to said RRC layer submitting to said RLC layer ~~[[a]]~~ said failure response message, said ~~timer-timing~~ process is started and in response to timeout of said ~~timer-timing~~ process, said method further comprises causing said RRC layer to resubmit said SDU to said RLC layer a predetermined number N of times, on each occasion restarting said ~~timer-timing~~ process; and

in response to N further timeout signals, submitting by said RRC layer to said RLC layer of a CELL UPDATE indicative of an unrecoverable error in said RLC layer for emission in response thereto.

12. (currently amended) A method according to claim 8, wherein if said RLC layer discards said failure response message, said method further comprises submitting by said RRC layer to said RLC layer of a CELL UPDATE arranged to cause ~~the~~a network control device to emit for said ~~user~~-device a CELL UPDATE CONFIRM message arranged to cause said ~~user~~ device to reconfigure to a determined state.

13. (currently amended) A method according to claim 8, wherein in response to said RRC layer submitting to said RLC layer ~~[[a]]~~ said failure response message, said ~~timer-timing~~ process is started and in response to timeout of said ~~timer-timing~~ process, said method further comprises releasing connection between peer layers at ~~the~~-said device and ~~the~~-said network and entering an idle mode.

14. (cancelled)

15. (currently amended) A method according to claim 1, wherein if said RLC layer discards said failure response message, ~~enabling said RRC to act consistently with a successfully~~

~~sent~~ setting said RRC to a condition the RRC was in before sending said failure response message.

16. (currently amended) A method according to claim 8, wherein in response to said RRC layer submitting to said RLC layer [[a]] said failure response message, said ~~timer-timing~~ process is started and in response to timeout of said ~~timer-timing~~ process, ~~enabling said RRC to act consistently with a successfully sent~~ setting said RRC to a condition the RRC was in before sending said failure response message.

17. (new) A method of operating a device configurable for use in a mobile communications network, the device operating using a protocol having a physical layer, a user layer and at least an RRC (radio resource control) layer and an RLC (radio link control) layer of a UMTS system, wherein the RRC layer is arranged to submit an SDU to the RLC layer for communication using the physical layer, wherein said SDU comprises information indicative of a process, the method comprising:

in response to a signal from said RLC layer, said signal being indicative of discard of said SDU, causing said RRC layer to resubmit said SDU to said RLC layer a predetermined number N of times, N being a number greater than zero;

and in response to N further signals indicative of said discard, causing said RRC layer to submit to said RLC layer a failure response message indicative that said process indicated by the information of the SDU has failed.

18. (new) A method according to claim 17, further comprising setting an operating mode wherein an acknowledgement of successful reception of said SDU is awaited.

19. (new) A method according to claim 17, wherein if said RLC layer discards said failure response message, said method further comprises causing said RRC layer to resubmit said SDU to said RLC layer a predetermined number N of times; and

in response to N further signals indicative of said discard, submitting by said RRC layer to said RLC layer of a CELL UPDATE indicative of an unrecoverable error in said RLC layer for emission in response thereto.

20. (new) A method according to claim 17, wherein if said RLC layer discards said failure response message, said method further comprises submitting by said RRC layer to said RLC layer of a CELL UPDATE message arranged to cause a network control device to emit for said device a CELL UPDATE CONFIRM message arranged to cause said device to reconfigure to a determined state.

21. (new) A method according to claim 17, wherein if said RLC layer discards said failure response message, said method further comprises releasing connection between peer layers at said device and said network and entering an idle mode.

22. (new) A method according to claim 17, wherein if said RLC layer discards said failure response message, setting said RRC to a condition the RRC was in before sending said failure response message.